

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THOMAS L. HABEL, DAVID  
W. HERCZEG, KENNETH G.  
MEERSCHAERT, SR., and  
GEOFFREY E. SMITH,

Plaintiffs,

CIVIL ACTION NO. 04 CV 60160 AA

v.

DISTRICT JUDGE MARIANNE O. BATTANI

MACOMB TOWNSHIP, JOHN D.  
BRENNAN, MICHAEL D. KOEHS,  
and RAYMOND A. AHONEN,

MAGISTRATE JUDGE VIRGINIA MORGAN

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION TO  
DETERMINE SUFFICIENCY OF DEFENDANTS'  
RESPONSES TO REQUEST FOR ADMISSIONS**

This matter is before the court on Plaintiff's Motion to Determine Sufficiency of Defendants' Responses to Request for Admissions filed July 8, 2005 (D/E 33). A hearing on the motion was held before the magistrate judge on August 24, 2005. For the reasons stated on the record, IT IS ORDERED that the Motion IS DENIED. The court finds that the responses are sufficient and the requests are in large measure improper and not appropriate under Rule 36.

No costs to either side.

s/Virginia M. Morgan  
VIRGINIA M. MORGAN  
UNITED STATES MAGISTRATE JUDGE

Dated: September 8, 2005

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**Proof of Service**

The undersigned certifies that a copy of the foregoing order was served on the attorneys of record by electronic means or U.S. Mail on September 8, 2005.

s/Jennifer Hernandez  
Case Manager to  
Magistrate Judge Morgan